

BOARD OF BARBERING AND COSMETOLOGY

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

- Date: Monday, November 19, 2018
- Time: 12:08 p.m.
- Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Lynnette F. McKay, Cosmetology Member, Chairperson
Alexander Choi, Public Member
Chad Nelson, Public Member
Amanda Severson, Cosmetology Member
Margaret Williams, Barber Member
Daniel K. Jacob, Deputy Attorney General (“DAG”)
Kedin C. Kleinhans, Executive Officer
Lori Nishimura, Secretary
- Guest: Lei Fukumura, Special Deputy Attorney General
- Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).
- Call to Order: There being a quorum present, the meeting was called to order at 12:08 p.m. by Chairperson McKay.
- Minutes of the October 15, 2018 Board Meeting: After discussion, it was moved by Chairperson McKay, seconded by Mr. Nelson, and unanimously carried to approve the minutes of the October 15, 2018 Board meeting, as circulated.
- At 12:09 p.m., the Board recessed the meeting to discuss and deliberate on the following adjudicatory matter pursuant to Hawaii Revised Statute (“HRS”) chapter 91.
- Chapter 91, HRS Adjudicatory Matters: A. In the Matter of the Beauty Operator’s License of MARGARET E. PATTERSON; BAR 2018-134-L

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the Settlement Agreement relating to the Matter of the Beauty Operator's License of MARGARET E. PATTERSON; BAR 2018-134-L.

At 12:10 p.m., the Board reconvened its scheduled meeting and immediately entered Executive Session.

Applications:

At 12:10 p.m., it was moved by Chairperson McKay, seconded by Mr. Choi, and unanimously carried for the Board to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS section 92-5(a)(1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

EXECUTIVE SESSION

At 12:23 p.m., it was moved by Chairperson McKay, seconded by Mr. Choi, and unanimously carried for the Board to move out of Executive Session.

A. Ratification of Issued Licenses

It was moved by Chairperson McKay, seconded by Ms. Severson, and unanimously carried to ratify the list of issued licenses attached (see, attached list).

B. Application for Exam & License

(1) Megan M. Welchel (Beauty Operator)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the beauty operator application for exam & license of Megan M. Welchel.

(2) Esther M. Chavez (Beauty Operator)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to

approve the beauty operator application for exam & license of Esther M. Chavez.

(3) Brandi L. Butler (Beauty Operator)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the beauty operator application for exam & license of Brandi L. Butler.

C. Application for License or Change

(1) Ali'i Nails LLC (New Beauty Shop)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the beauty shop application of Ali'i Nails LLC.

Executive
Officer's Report:

A. Licensing Examination of the National-Interstate Council of State Boards of Cosmetology ("NIC")

Executive Officer Kleinhans provided an update on the Board's expressed interest in the administration of the NIC exam. He reported that to date, no response was received from Ms. Melanie Thomson of NIC concerning testing vendors. Executive Officer Kleinhans stated he will follow up with her on this matter.

B. Repeal of Department of Health Sanitation Guidelines, Hawaii Administrative Rules ("HAR") §11-11

Executive Officer Kleinhans informed the Board that HAR §11-11, the Department of Health ("DOH") Sanitation Guidelines, was repealed on October 27, 2018.

Executive Officer Kleinhans stated that the barber rules, specifically HAR §16-73-19(a)(2), has a reference to the "sanitation requirements of the department of health" that is now repealed; thus, should be amended. He also stated that the cosmetology rules do not reference the repealed rules but HRS §439-17(a) does state that beauty shops must be "adequately equipped for the practices in which it engages."; he suggested the Board should clarify "adequately equipped" in its rules.

Executive Officer Kleinhans stated the barber and beauty shop applications will be amended to take out reference to the repealed DOH rules and to add “adequately equipped” to beauty shop applications.

Investigative
Committee’s Report:

A. Possible Revisions to HAR §§16-73 and 16-78

Executive Officer Kleinhans stated the two investigative committees should present their findings to the Board for discussion. He also reminded the committees to address the apprenticeship manuals in their proposed revisions as the Board had expressed concerns with the forms contained therein.

The Board’s consensus was to continue discussion at their next meeting and requested this agenda item to be placed on the next meeting agenda.

HAR Proposed
Amendments:

A. Chapter 73 - Barbers

- (1) Amend §16-73-19 Qualification for barber shop
- (2) Amend §16-73-29 Reader/interpreter
- (3) Amend §16-73-36 Public health

B. Chapter 78 - Cosmetology

- (1) Amend §16-78-11 License Applications
- (2) Amend §16-78-41 Compliance with other laws
- (3) Add §16-78-17 Shop conditions

Board members were provided with a handout of the proposed amendments. Executive Officer Kleinhans commented with the uncertainty of the DAG assignment to this Board “AG transition”, the Board should not take any action to the proposed amendments at this time. Additional proposals should also be addressed in subsequent meetings.

New Business:

A. 2019 Board Meeting Schedule

Board members were provided the 2019 Board Meeting Schedule, (meeting dates may be subject to change) as follows:

- January 28, 2019
- February 25, 2019
- March 25, 2019
- April 22, 2019
- May 20, 2019
- June 24, 2019
- July 22, 2019
- August 26, 2019
- September 23, 2019
- October 28, 2019
- November 25, 2019
- December 16, 2019

B. 2019 Legislative Session Delegation

After discussion, it was moved by Mr. Choi, seconded by Chairperson McKay, and unanimously carried to designate Ms. Williams as the Board's 2019 legislative session delegate.

Open Forum: None.

Next Board Meeting: Monday, December 17, 2018
12:00 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Announcements: None.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 12:50 p.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and accepted by:

/s/ Kedin Kleinhans

Kedin C. Kleinhans, Executive Officer

KCK:ln

12/18

- Minutes approved as is.
- Minutes approved with changes. See Minutes of _____.

RATIFICATION LIST - November 19, 2018 meeting

| license number | NAME | |
|----------------|-------------------------|-----------------------|
| BEO 21903 | CHENOA M H <BAKER< | |
| BEO 21904 | SHIRLENE <BYRON< | BEO = Beauty Operator |
| BEO 21905 | YURIKA <NISHINAKA< | |
| BEO 21906 | MARY GRACE B <HIRONAKA< | |
| BEO 21907 | ZENIA M <LEDESMA< | |
| BEO 21908 | ABEGAIL M S <MILLER< | |
| BEO 21909 | ESTHER JUNG HA <KIM< | |
| BEO 21910 | TIHANI A <MEDEIROS< | |
| BEO 21911 | DANELLE JOY M <AGPAOA< | |
| BEO 21912 | GRACE S <JUNG< | |
| BEO 21913 | TIANA L <CARDENAS< | |
| BEO 21914 | STEPHANIE N <SOURIVONG< | |
| BEO 21915 | OLIVERA <IPSHA< | |
| BEO 21916 | KARMYN A <MARCHANT< | |
| BEO 21917 | THANH M <DOAN< | |
| BEO 21918 | ADRIENNE K S <WUN< | |
| BEO 21919 | THUC TRI <NGUYEN< | |
| BEO 21920 | TRUYEN BICH <PHAM< | |
| BEO 21921 | GAYLENE <EDBLOM< | |
| BEO 21922 | KUMIKO <DOWLAND< | |
| BEO 21923 | KAELI K <SECRETARIO< | |
| BEO 21924 | ANHLOAN THI <NGUYEN< | |
| BEO 21925 | BINH X <THANG< | |
| BEO 21926 | LORA K <FARRELL< | |
| BEO 21927 | KIYOMI <ITO< | |

RATIFICATION LIST - November 19, 2018 meeting

| license number | NAME | |
|----------------|---|-----------------------|
| BEO 21928 | JESSICA RENAE <JACKSON< | |
| BEO 21929 | JESSICA A <DORAIS< | |
| BEO 21930 | MAI THI NGOC <NGUYEN< | BEO = Beauty Operator |
| BEO 21931 | JASMINE <DELA CRUZ-RETOTAL< | |
| BEO 21932 | EMI RENE <SANTIAGO< | |
| BEO 21934 | VIENALYN C <OGATA< | |
| BEO 21935 | SHANNON N <PICKENS< | |
| BEO 21936 | MALIA M <ROMAR< | |
| BEO 21937 | WENDY S <SMITH< | |
| BEO 21938 | KRISTINE M <MAGDAY< | |
| BEO 21939 | KARA L S <HARA< | |
| BEO 21940 | AVELINA C <DASSIER< | |
| BEO 21941 | ANA K <HALL< | |
| BEO 21942 | CHIE <TOZUKA< | |
| BAR 3802 | DAVID M <MITSUDA< | BAR = Barber |
| BAR 3803 | TOBEY S <SISON< | |
| BSH 5694 | ULTA SALON COSMETICS & FRAGRANCE INC | |
| BSH 5695 | IMAGERY HAIRSTYLING LLC | |
| BSH 5696 | JENNIFER T <TONGG< | |
| BSH 5697 | JQ RAWBEAUTY STUDIO LIMITED LIABILITY COMPANY | |
| BSH 5698 | DAVID'S HAPPY NAILS & SPA LLC | |
| BSH 5699 | JENICA E <SPRINGER< | BSH = Beauty Shop |
| BSH 5700 | SALON NORTH LLC | |
| BSH 5701 | FACE & BODY LASER LLC | |
| BSH 5702 | DIANE M <DUNVILLE< | |

RATIFICATION LIST - November 19, 2018 meeting

| license number | | NAME | |
|----------------|------|---------------------------------------|-------------------|
| BSH | 5703 | SALON VEEVOHN LLC | |
| BSH | 5704 | ALOHI AESTHETICS LLC | BSH = Beauty Shop |
| BSH | 5705 | COUTURE LASH AND BEAUTY LLC | |
| BSH | 5706 | GREEN TI MASSAGE LLC | |
| BSH | 5707 | RHONDA J M <STONE< | |
| BSH | 5708 | POLISHED HAIR & NAILS MAUI LLC | |
| BSH | 5709 | MAKANANI HAWAII L L C | |
| BSH | 5710 | EPIC HAIR BOUTIQUE INC | |
| BSH | 5711 | FREEDOM SPAS LLC | |
| BSH | 5712 | AK HAIRSTYLING & BARBER LLC | |
| BSH | 5713 | IMAGE A BEAUTY EMPORIUM AND SALON INC | |
| BSH | 5714 | KRISTIN H <WOOD< INC | |
| BSH | 5715 | COCO NAILS SPA LLC | |
| BSH | 5716 | LDR BEAUTY LLP | |